

REMARKS/ARGUMENTS

This Amendment is being filed in response to Office Action dated December 28, 2009. Reconsideration and allowance of the application in view of the remarks to follow are respectfully requested.

Claims 1-3, 5-8, 10, 12 and 14-19 are pending in the Application. Claim 19 is added by this amendment.

The Applicants appreciate the indication that the claims are considered to read over prior art of record.

In the Office Action, the claims are rejected over 35 U.S.C. §112, first and second paragraphs. It is believed that some of the confusion is caused by an error in interpreting the intended scope of the claim language. However, in the interest of advancing consideration and allowance of the pending claims, the Applicant's have elected to amend the claims to clarify that which is recited in the claims. Particularly, the Applicants have elected to clarify that there are "first and second edges ..." It is believed that this recitation cures the alleged problem with indefiniteness, although, with all due respect, this allegation is respectfully traversed. It is respectfully submitted that the claims were previously drafted to cover a non-exclusive condition where a given tooth has both of an abutment in one portion of an edge and a "cutting edge" as termed in the Office Action, on page 2, last paragraph.

The specification is clear that (emphasis added):

Severing of a hair takes place as follows: in FIG. 3a, a hair 16 is caught in the cutting opening between the tooth edges of two teeth. ... The tooth 6 subsequently moves to the right, and the wall portion 15 of the tooth edge 8

presses the hair to the right against the cutting edge 10 of the stationary tooth 4 such that the cutting edge penetrates the hair over a certain distance and provides a notch therein (see FIGS. 3b and 4a). This situation corresponds to that of FIG. 5a. The wall portion 15 may accordingly be regarded as a kind of abutment for the hair. ... For a complete severing of a hair in the final phase, it is better that both tooth edges should be provided with cutting edges. The often unpleasant hair pulling during shaving is avoided thereby. (See, present application, page 4, line 22 through page 5, line 6.)

This is shown in the figures of the present applicator, for example in FIG. 4c.

The confusion in the Office Action seems to stem from an interpretation wherein the prior language of claim 1 if misinterpreted. Please note that although the claim is amended in accordance with the interpretation provided in the Office Action, this prior language is reintroduced in new claim 19.

The Office Action takes a position (emphasis added) "the original disclosure does not appear to provide support for a tooth, including the first tooth, having first and second widths as now claims in the last five lines of claim 1 (and additionally claims 16-18). Rather, support appears to be provided for a width of each tooth (which are different from the thickness previously referenced in the claim) such that a first width that is further from the tip is greater not narrower than a second width that is closer to the tip as shown in the figures."

It appears that the Office Action was reading this claim language to read on the features of FIG. 4c (which it now does) wherein the width of the corresponding tooth (previously "first tooth") is thinner closer to the second edge of the corresponding tooth than further from the second edge. However, it must be pointed out that the feature recitations did not reference the second edge of the corresponding tooth, but in fact,

referenced the tip of the corresponding tooth. As such, the features of the previous claim and of new claim 19 is well shown in the present application, for example, in FIGs. 5a and 5b, wherein the thickness of the corresponding tooth is thinner further from the tip of the corresponding tooth (e.g., see, zone 17) than closer to the tip of the corresponding tooth (e.g., see, wall 15).

As explained in the specification of the present application, "[t]he thickness of the portion 17 of the tooth 6 where the cooperating teeth overlap is much smaller than the rest of the tooth. This is clearly visible in FIGS. 5a and 5b. The tooth edge 8 at the zone 12 is comparatively thin and forms a counter-cutting edge 18 for the cutting edge 10 of the stationary tooth 4." (See, present application, page 4, lines 18-21.)

With regard to the reference to a direction regarding a plane of the hairs, the claim is amended to clarify that the reference is to (emphasis added) "a face of the abutment is directed parallel to a plane of the hairs during the shaving operation ..."

It is believed that the amendments to the claims and explanation provided herein overcomes the rejection of the claims under 35 U.S.C. §112, first and second paragraphs and an indication to that effect is respectfully requested.

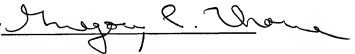
Based on the foregoing, the Applicants respectfully submit that claims 1-3, 5-8, 10, 12 and 14-19 are patentable and notice to this effect is earnestly solicited.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support

of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP

Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101